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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,886	09/15/2003	Chris Quinlan	PNM01 010 CONT	8510
39290	7590	06/29/2006	EXAMINER	
DUANE MORRIS LLP 1667 K. STREET, N.W. SUITE 700 WASHINGTON, DC 20006-1608				LASTRA, DANIEL
		ART UNIT		PAPER NUMBER
		3622		

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/661,886	QUINLAN ET AL.
	<b>Examiner</b> DANIEL LASTRA	<b>Art Unit</b> 3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 08 November 2005.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 84-101 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 84-101 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 08/15/05/04/26/04: 01/21/04  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_.

### **DETAILED ACTION**

1. Claims 84-101 have been examined. Application 10/661,886 (METHOD AND SYSTEM FOR REDEEMING PRODUCT MARKETING REBATES) has a filing date 09/15/2003 is a continuation of 09495819 (02/02/2000; Pat: 6748365), Which Claims Priority from Provisional Application 60154087 (09/15/1999).

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 84-97, 99 and 101 are rejected under 35 U.S.C. 102(a) as being anticipated by Naftzger (US 5,924,078).

As per claim 84, Naftzger teaches:

In a system where a product marketing rebate claim is submitted by a customer to a remote processing site having stored information relating to the accounts of a plurality of customers and having stored information relating to a plurality of rebate offers each associated with one or more products, a method of evaluating the satisfaction of a rebate offer associated with one or more products purchased by a customer in a transaction identifiable by a unique transaction identifier provided to a customer by a point-of sale processor at the point of sale, the method comprising the steps of

- (a) receiving and electronically storing at the remote processing site information relating to the accounts of a plurality of customers (see col 7, lines 42-55);
- (b) receiving and electronically storing at the remote processing site information relating to a plurality of rebate offers associated with one or more products (see col 13, lines 28-35);
- (c) electronically receiving and electronically storing at the remote processing site a record of a transaction at the point-of-sale processor at which one or more products were purchased with which there was associated one or more rebate offers (see col 14, line 51 – col 15, line 50);
- (d) receiving from the customer at the processing site a rebate claim comprising the unique transaction identifier provided by the point-of-sale processor to the customer at a point of sale (see col 14, line 51 – col 15, line 50); and
- (e) using at the processing site the unique transaction identifier received from the customer at the processing site to electronically evaluate the satisfaction of a rebate offer associated with the products purchased in the transaction identified by the unique transaction identifier (see col 14, line 52 – col 15, line 50; col 16, lines 9-32).

As per claim 85, Naftzger teaches:

The method of Claim 84 wherein the claim is electronically submitted by the customer and wherein the transaction records stored at the processing site are electronically accessed by the unique transaction identifier (see col 14, line 50 – col 16, line 32).

As per claim 86, Naftzger teaches:

In a system where a product marketing rebate claim is submitted by a customer to a processing site having stored information relating to the accounts of a plurality of customers and having stored information relating to a plurality of rebate offers, a method of evaluating the satisfaction of a rebate offer associated with one or more products purchased by a customer in a transaction identifiable by a unique transaction identifier provided to a customer at the point of sale, the method comprising the steps of

- (a) electronically receiving and storing at a processing site an electronic record of a transaction at which one or more products were purchased with which there was associated one or more rebate offers (see col 14, line 50 – col 16, line 32);
- (b) at the processing site receiving from the customer information provided to the customer at the point of sale including the unique transaction identifier (see col 14, lines 50-65), and
- (c) using at the processing site the unique transaction identifier received from the customer to evaluate the satisfaction of the rebate offers associated with the products purchased in the transaction identified by the unique transaction identifier (see col 14, line 50 – col 16, line 32).

As per claim 87, Naftzger teaches:

The method of Claim 86 where there are a plurality of products with which there are associated a rebate offer purchased in the transaction identified by the unique transaction identifier (see col 13, lines 27-35).

As per claim 88, Naftzger teaches:

The method of Claim 86 where there a plurality of rebate offers is associated with a product purchased in the transaction identified by the unique transaction identifier (see col 13, lines 35-52).

As per claim 89, Naftzger teaches:

The method of Claim 86 wherein a plurality of unique transaction identifiers is received from the customer at the processing site in a single submission by the customer (see col 12, lines 30-40).

As per claim 90, Naftzger teaches:

The method of Claim 86 wherein, in addition to the unique transaction identifier, the customer is provided with information relating to a rebate offer associated with a product purchased in the transaction (see col 16, lines 8-32).

As per claim 91, Naftzger teaches:

The method of Claim 90 wherein the rebate offer information provided to the customer includes a dedicated accounting of products with which rebate offers are associated (see col 16, lines 9-32).

As per claim 92, Naftzger teaches:

The method of Claim 90 wherein the rebate offer information provided to the customer identifies the terms of a rebate offer associated with a product purchased in the uniquely identified transaction (see figure 2, items 20-N-2,3).

As per claim 93, Naftzger teaches:

The method of Claim 90 wherein the rebate offer information provided to the customer includes the status of a rebate offer associated with a product purchased in the uniquely identified transaction (see col 15, lines 1-50).

As per claim 94, Naftzger teaches:

The method of Claim 90 wherein the rebate offer information provided to the customer includes a rebate offer number associated with a product purchased in the uniquely identified transaction (see col 16, lines 58-62 “code 123”).

As per claim 95, Naftzger teaches:

The method of Claim 90 wherein information in addition to the unique transaction identifier is used at the processing site (see col 14, lines 50-65).

As per claim 96, Naftzger teaches:

The method of Claim 95 wherein the information in addition to the unique transaction identifier used at the processing site includes customer identifying information (see col 7, lines 44-60).

As per claim 97, Naftzger teaches:

The method of Claim 86 wherein the unique transaction identifier is printed on a receipt generated by a point-of-sale processor at the point of sale (see col 16, lines 55-60).

As per claim 99, Naftzger teaches:

The method of Claim 86 wherein the claim is electronically submitted (see col 15, lines 1-50).

As per claim 101, Naftzger teaches:

The method of Claim 86 wherein the processing site includes distributed data processors (see col 14, lines 50-65).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 98 and 100 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naftzger (US 5,924,078).

As per claim 98, Naftzger teaches:

The method of Claim 86 but does not expressly teach wherein the unique transaction identifier is electronically provided to the purchaser following an on-line sale. However, Official Notice is taken that it is old and well known in the computer art to print online information. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Naftzger would allow customers to print unique promotional codes via the Internet, as the Internet it is an old and well known method used for online printing.

As per claim 100, Naftzger teaches:

The method of Claim 86 but fails to teach wherein the claim is submitted by mail. However, Official Notice is taken that it is old and well known in the business art to send promotions by mail. It would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that that Naftzger would allow customers to

submit promotional code by mail as it is a old and well know to send promotional offers by mail.

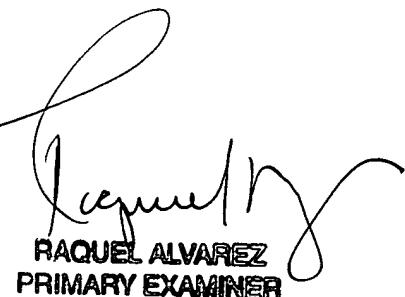
***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720 and fax 571-273-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The official Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Daniel Lastra  
June 17, 2006

  
RAQUEL ALVAREZ  
PRIMARY EXAMINER